

NICHOLAS J. AND ELIZABETH MIURA

JULY 1, 1952.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany S. 2277]

The Committee on the Judiciary, to whom was referred the bill (S. 2277) for the relief of Nicholas J. and Elizabeth Miura, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of two minor half-Japanese children adopted by a United States citizen and his wife. The children would be considered to be nonquota immigrants which is the status normally enjoyed by the alien minor children of citizens of the United States.

GENERAL INFORMATION

The beneficiaries of the bill were born on September 15, 1947, and November 25, 1946, of Japanese mothers and unknown American soldiers. They were in the Sakia Orphanage in Osaka, Japan, when they were adopted by Sgt. Frank A. Valentine, a native-born United States citizen serving with our Armed Forces in Japan and his Japanese-born wife whom he married on April 15, 1951. The wife is eligible to enter the United States under the provisions of Public Law 6 of the Eighty-second Congress and she is presently in Japan with the children. Sergeant Valentine is now stationed at Fort Hancock, N. J.

A letter, with attached memorandum, dated April 28, 1952, to the chairman of the Senate Committee on the Judiciary from the Deputy Attorney General with reference to the case reads as follows:

APRIL 28, 1952.

Hon. PAT McCARRAN,  
*Chairman, Committee on the Judiciary,*  
*United States Senate, Washington, D. C.*

MY DEAR SENATOR: This is in response to your request for the views of the Department of Justice relative to the bill (S. 2277) for the relief of Nicholas J. and Elizabeth Miura, aliens. The bill would make them eligible for admission to the United States as nonquota immigrants.

There is attached a memorandum prepared by the Immigration and Naturalization Service of this Department setting forth the facts in the cases of these aliens.

Since the aliens are of at least 50 percent Japanese blood, they are ineligible for naturalization under section 303 of the Nationality Act of 1940 and are inadmissible to the United States for permanent residence under section 13 (c) of the Immigration Act of 1924.

Whether, under the circumstances, the bill should be enacted presents a question of legislative policy concerning which this Department prefers not to make any recommendation.

Sincerely,

A. DEVITT VANECH,  
*Deputy Attorney General.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND NATURALIZATION  
 SERVICE FILES RE NICHOLAS J. AND ELIZABETH MIURA, BENEFICIARIES OF  
 S. 2277

Nicholas J. Miura was born on September 15, 1947, and Elizabeth Miura on November 25, 1946. They were born in Japan of Japanese mothers and unidentified American soldier fathers. They were inmates of the Sakia Orphanage in Osaka, Japan, when they were adopted according to Japanese law by Sgt. Frank A. Valentine, a native-born citizen of the United States, serving with the Armed Forces of the United States, and his Japanese-born wife, the former Cecelia Kiyoe Miura, whom he married in Japan on April 15, 1951. The children and Mrs. Valentine reside in Osaka, Japan. They have never been in the United States.

Sgt. Frank A. Valentine, who has been in the United States Army for 9½ years, was born in East Hartford, Conn., on June 4, 1921, and expects to make the Army his career. He has an income of \$250 a month. He has \$400 in bonds, an automobile and personal property valued at \$2,000. He has arranged to house his family in East Hartford, when they are able to enter this country. Mrs. Valentine who was born on January 31, 1923, was formerly a beautician, but is not gainfully employed at this time. Sergeant and Mrs. Valentine are unable to have children of their own. Sergeant Valentine stated that his wife receives a dependency check of \$127 monthly which is adequate for her support and that of the children.

Sergeant Valentine is presently stationed at Fort Hancock, N. J. He has served 6½ years in overseas duty, both in World War II and in the Korean conflict.

Senator Brien McMahon, the author of the bill, has submitted the following information in connection with the bill:

HARTFORD, CONN. November 1, 1951.

Re Senate bill 2277, for the relief of Nicholas J. and Elizabeth Miura.

Hon. BRIEN MCMAHON,  
*United States Senate,*  
*Washington, D. C.*

DEAR SENATOR: Thank you for your letter of October 29 enclosing copies of Senate bill 2277 and Senator Pat McCarran's letter of October 22 requesting five points of information concerning Nicholas J. and Elizabeth Miura. Listed below are the queries and following each of them the answer:

1. *The circumstances surrounding the entry of the person to the United States*  
 The Miuras are not presently in the United States but are in Japan.
2. *The present activities of such person*

Nicholas J. Miura, born Koichi Kawasaki, is the son of a Japanese mother named Yasuko Kawasaki and an unidentified American soldier. He has been adopted by Kiyoe Miura Valentine, the wife of Sgt. Frank A. Valentine, RA311-97205, recently returned from service with the Twenty-fifth Division in Korea. Sergeant Valentine and the foster mother were married at the American consulate at Kobe, Japan, on May 5, 1951. Nicholas J. Miura was born Septem-

ber 15, 1947, and is, therefore, 4 years of age. His current activities are limited to those of a 4-year-old child.

Elizabeth Miura was born Keiko Haru. She is the daughter of a Japanese mother and an unidentified American father. She was born at Osaka City in Japan on November 25, 1946, was abandoned by her natural mother, and given refuge at the Holy Family Orphanage. She was adopted from the orphanage by the now Mrs. Valentine. She is 5 years of age, will be 6 on November 25, and her activities are, therefore, limited to those of a child that age.

3. *How such person is presently earning a living, or whether dependent on some other person for support*

Both of these children are dependent on their foster mother, Cecelia Kiyoe Miura Valentine, and through her on Sgt. Frank A. Valentine, for support, since they are respectfully 4 and 5 years of age.

4. *Whether or not such person is engaged in any activities, political or otherwise, injurious to the American public interest*

Obviously not, in view of their age.

5. *Has such person been convicted of an offense under any Federal or State law, and if so, what offense*

No.

We would appreciate it if it could be brought to the attention of the Committee on the Judiciary that Mrs. Valentine, the foster mother of these children, having married Sgt. Frank A. Valentine who has since returned to the United States is due to come to this country. She cannot, under the existing law, bring these adopted babies with her. As things now stand, she must choose between deserting either her husband or the two children whom she adopted and assumed responsibility for. Either eventuality would be most unfortunate to say the least. The only reasonable solution would seem to be the passage of Senate bill 2277 which would permit Mrs. Valentine to come to the United States to join her husband and bring the two children with her. This would certainly seem to be a most deserving case.

I am enclosing an extra copy of this letter so that you may, if you wish, forward it to the Judiciary Committee as a response to Senator McCarran's letter of October 22.

Your kind cooperation in attempting to solve this difficult problem in human relations is greatly appreciated. We know that you will exert every effort to see that the bill is passed and as promptly as possible.

Yours truly,

THOMAS J. HAGARTY,  
*Attorney at Law.*

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2277) should be enacted.



per 15 feet and 1 inch for 1 inch of age. It is not a good idea to have a child of a certain age in a certain class.

1. Elizabeth Kirby, who was born in 1911, is the daughter of a farmer. She was educated in the public schools of her native town. She was married in 1931 to Michael Kirby, who was born in 1911. They have two children, a son and a daughter.

2. The Kirby family is a typical American family. The father is a farmer and the mother is a homemaker. They live in a small town in the State of New York.

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